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FACSIMILE TRANSMITTAL SHEET

TO: U.S. Patent and Trademark Office
Examiner James Spear - Group 1615

FROM: Guy V. Tucker

PHONE NUMBER: (650) 620-5501

FAX NUMBER: 703-872-9306

FAX NUMBER: (650) 631-3125

PHONE NUMBER:

DATE: May 16, 2005

RE: U.S. Serial No 10/070,093

PAGES: 11
(INCLUDING COVER)

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Amendment Transmittal
Response to Restriction Requirement

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Practitioner's Docket No. 0113.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter York et al.

Application No.: 10/070,093

Group No.: 1615

Filed: 07/31/2002

Examiner: James Spear

For: COFORMULATION METHODS AND THEIR PRODUCTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for four months:

Fee: \$1,590.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

___ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

___ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-9306.

Date: 14 May 2005

Signature

Kathy Honnert
(type or print name of person certifying)

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal--page 1 of 2

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	OTHER THAN A SMALL ENTITY				ADDIT. FEE
				RATE				
TOTAL	51	- 51	= 0	x \$ 50.00	=	\$		0.00
INDEP.	9	- 9	= 0	x \$ 200.00	=	\$		0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	=	\$		0.00
				TOTAL ADDIT. FEE		\$		0.00

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$1,590.00 to Deposit Account No. 500348.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

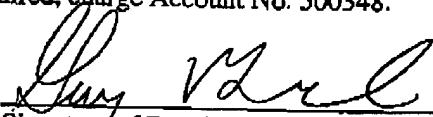
FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 500348.

If an additional fee for claims is required, charge Account No. 500348.

Date: 16 May 2005

Reg. No.: 45,302
Tel. No.: 650-631-3100
Customer No.: 21968


Signature of Practitioner
Guy V. Tucker
Nektar Therapeutics
150 Industrial Road
San Carlos, CA 94070

CERTIFICATE OF MAILING

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on 16 May 2005

Signed: Kathy Honnert
Kathy Honnert

PATENT

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In the United States Patent and Trademark Office
.....

Applicant: York et al.

Applicant's Ref: 0113.00

Application No: 10/070,093

Filed: July 31, 2002

Title: COFORMULATION METHODS
AND THEIR PRODUCTS

Examiner: Spear, James M

Group Art Unit: 1615

RESPONSE TO RESTRICTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This election is in response to the Office Action dated December 14, 2004 and is being filed within five months thereof with a request for a four month extension of time. The present amendment is being filed in accordance with revised rule 37 CFR 1.121. Thus, marked-up amendments to the claims and/or specification are provided and no clean versions of the amendments are provided.

05/17/2005 HDEMESS1 00000033 500348 10070093

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